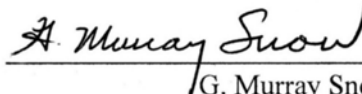


1 In this case (which is not based in diversity jurisdiction), none of the named
2 Defendants resides in the State of Arizona. All Defendants reside in the State of New
3 Hampshire, and the events giving rise to the claims asserted in the Amended Complaint
4 occurred in New Hampshire. Accordingly, venue is not proper in this District.

5 Pursuant to 28 U.S.C. § 1406(a), the Court “of a district in which is filed a case laying
6 venue in the wrong division or district shall dismiss, or if it be in the interest of justice,
7 transfer such case to any district or division in which it could have been brought.” The
8 decision to transfer under section 1404(a) lies within the discretion of the district court and
9 is to be determined upon notions of convenience and fairness on a case-by-case basis.
10 Stewart Org., Inc. v. Ricoh Corp., 487 U.S. 22, 29 (1988). In the interest of justice, the Court
11 will transfer this case to the United States District Court for the District of New Hampshire.

12 **IT IS ORDERED** the Clerk of Court must transfer this action to the United States
13 District Court for the District of New Hampshire.

14 DATED this 21st day of December, 2012.

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18 G. Murray Snow
19 United States District Judge
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